

AMENDED IN SENATE APRIL 27, 2010

AMENDED IN SENATE APRIL 5, 2010

SENATE BILL

No. 1154

Introduced by Senator Cedillo

February 18, 2010

An act to *amend Section 382.1 of, and to add Section 713 to, the Public Utilities Code, relating to public utilities.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1154, as amended, Cedillo. Public Utilities Commission: Earned Income Tax Credit.

(1) Existing law requires the Public Utilities Commission to establish a program of assistance to low-income electric and gas customers, which is referred to as the California Alternate Rates for Energy (CARE) program. The Moore Universal Telephone Service Act establishes the Universal Lifeline Telephone Service (ULTS) program in order to provide low-income households with access to affordable basic residential telephone service.

This bill would require the commission to ensure that all applications for the California Alternate Rates for Energy (CARE) and the Universal Lifeline Telephone Service (ULTS) programs include information about the applicant's eligibility to qualify for the federal Earned Income Tax Credit.

(2) *Existing law establishes the Low-Income Oversight Board for the purpose of advising the commission on low-income electric, gas, and water customer issues and serving as a liaison for the commission to low-income ratepayers and representatives.*

This bill would require the board to make recommendations on whether the California Alternate Rates for Energy (CARE) and

Universal Lifeline Telephone Service (ULTS) programs could assist with outreach regarding the federal Earned Income Tax Credit in a manner that would not detract from the primary goals of these programs and would minimize negative ratepayer impacts.

(2)

(3) Existing law makes any public utility, as defined, and any corporation other than a public utility, that violates the Public Utilities Act, or that fails to comply with any part of any order, decision, rule, direction, demand, or requirement of the commission, guilty of a crime.

Because the provisions of this bill are within the act and require action by the commission to implement its requirements, a violation of these provisions would impose a state-mandated local program by expanding the definition of a crime.

(3)

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 382.1 of the Public Utilities Code is
2 amended to read:

3 382.1. (a) There is hereby established a Low-Income Oversight
4 Board that shall advise the commission on low-income electric,
5 gas, and water customer issues and shall serve as a liaison for the
6 commission to low-income ratepayers and representatives. The
7 Low-Income Oversight Board shall replace the Low-Income
8 Advisory Board in existence on January 1, 2000. The Low-Income
9 Oversight Board shall do all of the following to advise the
10 commission regarding the commission's duties:

11 (1) Monitor and evaluate implementation of all programs
12 provided to low-income electricity, gas, and water customers.

13 (2) Assist in the development and analysis of any assessments
14 of low-income customer need.

15 (3) Encourage collaboration between state and utility programs
16 for low-income electricity and gas customers to maximize the

1 leverage of state and federal energy efficiency funds to both lower
2 the bills and increase the comfort of low-income customers.

3 (4) Provide reports to the Legislature, as requested, summarizing
4 the assessment of need, audits, and analysis of program
5 implementation.

6 (5) Assist in streamlining the application and enrollment process
7 of programs for low-income electricity and gas customers with
8 general low-income programs, including, but not limited to, the
9 Universal Lifeline Telephone Service (ULTS) program and,
10 including compliance with Section 739.1.

11 (6) Encourage the usage of the network of community service
12 providers in accordance with Section 381.5.

13 (7) *Make recommendations on whether the California Alternate*
14 *Rates for Energy (CARE) and Universal Lifeline Telephone Service*
15 *(ULTS) programs could assist with outreach regarding the federal*
16 *Earned Income Tax Credit in a manner that would not detract*
17 *from the primary goals of these programs and would minimize*
18 *negative ratepayer impacts.*

19 (b) The Low-Income Oversight Board shall be comprised of 11
20 members to be selected as follows:

21 (1) Five members selected by the commission who have
22 expertise in the low-income community and who are not affiliated
23 with any state agency or utility group. These members shall be
24 selected in a manner to ensure an equitable geographic distribution.

25 (2) One member selected by the Governor.

26 (3) One member selected by the commission who is a
27 commissioner or commissioner designee.

28 (4) One member selected by the Department of Community
29 Services and Development.

30 (5) One member selected by the commission who is a
31 representative of private weatherization contractors.

32 (6) One member selected by the commission who is a
33 representative of an electrical or gas corporation.

34 (7) One member selected by the commission who is a
35 representative of a water corporation.

36 (c) The Low-Income Oversight Board shall alternate meeting
37 locations between northern, central, and southern California.

38 (d) The Low-Income Oversight Board may establish a technical
39 advisory committee consisting of low-income service providers,
40 utility representatives, consumer organizations, and commission

1 staff, to assist the board and may request utility representatives
2 and commission staff to assist the technical advisory committee.

3 (e) The commission shall do all of the following in conjunction
4 with the board:

5 (1) Work with the board, interested parties, and
6 community-based organizations to increase participation in
7 programs for low-income customers.

8 (2) Provide technical support to the board.

9 (3) Ensure that the energy burden of low-income electricity and
10 gas customers is reduced.

11 (4) Provide formal notice of board meetings in the commission's
12 daily calendar.

13 (f) (1) Members of the board and members of the technical
14 advisory committee shall be eligible for compensation in
15 accordance with state guidelines for necessary travel.

16 (2) Members of the board and members of the technical advisory
17 committee who are not salaried state service employees shall be
18 eligible for reasonable compensation for attendance at board
19 meetings.

20 (3) All reasonable costs incurred by the board in carrying out
21 its duties pursuant to subdivision (a), including staffing, travel,
22 and administrative costs, shall be reimbursed through the public
23 utilities reimbursement account and shall be part of the budget of
24 the commission and the commission shall consult with the board
25 in the preparation of that portion of the commission's annual
26 proposed budget.

27 ~~SECTION 1.~~

28 SEC. 2. Section 713 is added to the Public Utilities Code, to
29 read:

30 713. (a) The commission shall ensure that all applications for
31 the California Alternate Rates for Energy (CARE) and the
32 Universal Lifeline Telephone Service (ULTS) programs include
33 information about the applicant's eligibility to qualify for the
34 federal Earned Income Tax Credit.

35 (b) The information described in subdivision (a) *shall be*
36 *provided with all initial and recertification applications processed*
37 *by telephone, through an Internet Web site, or by mail. For mail*
38 *applications, the information may be included on a separate sheet*
39 *in the same envelope that the application for the CARE or ULTS*
40 *program is sent.*

1 (c) CARE and ULTS applicants shall be provided with
2 information about all of the following pursuant to this section:

- 3 (1) The federal Earned Income Tax Credit requirements.
4 (2) The potential benefit to the applicant's tax return.
5 (3) Contact information about where they can receive further
6 information.

7 ~~SEC. 2.~~

8 *SEC. 3.* No reimbursement is required by this act pursuant to
9 Section 6 of Article XIII B of the California Constitution because
10 the only costs that may be incurred by a local agency or school
11 district will be incurred because this act creates a new crime or
12 infraction, eliminates a crime or infraction, or changes the penalty
13 for a crime or infraction, within the meaning of Section 17556 of
14 the Government Code, or changes the definition of a crime within
15 the meaning of Section 6 of Article XIII B of the California
16 Constitution.

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